

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL OLIPHANT, Individually and
On Behalf of All Others Similarly
Situating,

Plaintiff,

v.

GREGORY A. SERRAO, BREHT T.
FEIGH, MARK W. VARGO, and
AMERICAN DENTAL PARTNERS,
INC.,

Defendants.

No. 1:08-cv-10119-RGS

**NOTICE OF MOTION OF
FREDERICK J. JOHNSTON FOR
CONSOLIDATION OF RELATED
ACTIONS, APPOINTMENT AS LEAD
PLAINTIFF AND APPROVAL OF
LEAD PLAINTIFF'S SELECTION
OF LEAD COUNSEL**

W.K. DOWNEY, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

AMERICAN DENTAL PARTNERS,
INC., GREGORY A. SERRAO, BREHT
T. FEIGH, and MARK W. VARGO,

Defendants.

No. 1:08-cv-10169-RGS

FREDERICK J. JOHNSTON, Individually
and On Behalf of All Others Similarly
Situating,

Plaintiff,

v.

GREGORY A. SERRAO, BREHT T.
FEIGH, MARK W. VARGO, and
AMERICAN DENTAL PARTNERS,
INC.,

Defendants.

No. 1:08-cv-10230-RGS

[Captions Continue on Following Page]

E. JAMES MONIHAN, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

v.

AMERICAN DENTAL PARTNERS, INC.,
GREGORY A. SERRAO, BREHT T.
FEIGH, and MARK W. VARGO,

Defendants.

No. 1:08-cv-10410-RGS

NOTICE OF MOTION¹

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE, that plaintiff Frederick J. Johnston (hereinafter “Movant”) hereby moves this Court, the Honorable Richard G. Stearns presiding, under §§21(D) *et seq.* of the Securities Exchange Act of 1934 as amended by the Private Securities Litigation Reform Act of 1995 (“PSLRA”), for an order (a) consolidating related actions, (b) appointing Frederick J. Johnston as Lead Plaintiff, and (c) approving Movant’s selection of Glancy Binkow & Goldberg LLP as Lead Counsel for the Class.

Movant seeks appointment as Lead Plaintiff and approval of Lead Plaintiff’s choice of counsel pursuant to the Securities Exchange Act of 1934, the Federal Rules of Civil Procedure and the PSLRA. This motion is based on this Notice, the attached memorandum of points and

¹This motion is filed pursuant to Section 21D of the Securities Exchange Act of 1934 as amended by the PSLRA. This Section provides that, within 60 days after publication of the required notice, any member or members of the proposed class may apply to the Court to be appointed as lead plaintiff, whether or not they have previously filed a complaint in the underlying action. Consequently, counsel for Movant has no way of knowing who the competing lead plaintiff candidates are at this time. As a result, counsel for Movant has been unable to conference with opposing counsel as prescribed in LR. 7.1(a)(2) and respectfully requests that the conference requirement of LR. 7.1(a)(2) be waived.

authorities, the declaration of Lionel Z. Glancy, and the Court's complete files and records in this action, as well as such further argument as the Court may allow at a hearing on this motion.

Dated: March 31, 2008

Respectfully submitted,

LAW OFFICE OF PETER A. LAGORIO

By: /s/_____

Peter A. Lagorio

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Proposed Liaison Counsel

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Lionel Z. Glancy

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Proposed Lead Counsel

Certificate of Service

I hereby certify that this document filed through the ECF system will be send electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on March 31, 2008.

/s/_____

Peter A. Lagorio